REMARKS

Claims 1-82 are pending and remain in this application. Claims 75 and 81 have been amended to correct clerical errors. No new matter has been entered.

Claims 1-82 stand subject to an eight-way restriction requirement under 35 U.S.C. § 121. Applicant traverses the restriction requirement per Claims 63-82 and respectfully requests the following alternative grouping of the claims:

I. Claims 1-25 are drawn on a combination of a medical device adapted to be implanted and a system for collection and analysis of patient information.

II. Claims 26-41 are drawn on a method for collection and analysis of patient information from a medical device adapted to be implanted.

III. Claims 51-62 are drawn on a computer-operated program for collection and analysis of patient information from a medical device adapted to be implanted.

IV. Claims 63-68, 69-74, and 75-80 are drawn respectively on a system, method, and computer-operated program for collection and analysis of patient information.

V. Claims 81 and 82 are drawn respectively on system and method for automated remote cardiac patient care using cardiovascular patient information retrieved from a cardiac monitoring device adapted to be implanted.

Group IV merges Groups IV, V and VI and Group V merges Groups VII and VIII, both as originally provided in the Restriction Requirement. Per MPEP 806.05(c), inventions are distinct by showing that a combination as claimed: (A) does not require the particulars of the subcombinations as claimed for patentability, and (B) the subcombination can be shown to have utility either by itself or in other and different relations. Per MPEP 806.05(e), a process and apparatus for its practice can be shown to be distinct inventions, if either or both can be shown: (A) that the process as claimed can be practiced by another materially different apparatus or by hand; or (B) that the apparatus as claimed can be used to practice another and materially different process. Per MPEP

806.05(h), a product and process for using the product can be shown to be distinct inventions, if either or both can be shown: (A) that the process of using as claimed can be practiced with another materially different product; or (B) that the product as claimed can be used in a materially different product.

In Group IV, Claims 63-68, 69-74, and 75-80 relate respectively to an apparatus, process, and product for collection and analysis of patient information. Claims 63-68, 69-74, and 75-80 respectively recite a database collecting one or more patient care records, collecting one or more patient care records in a database, and code for collecting one or more patient care records in a database. Claims 63-68, 69-74, and 75-80 further respectively recite a server processing at least one of the collected measurements sets, processing at least one of the collected measurements sets, and code for processing at least one of the collected measurements sets. As combinations, each of these apparatus, process, and product claims are not are not subcombinations, are not separately usable, nor can be practiced with a materially different apparatus, process, product, or by hand. Accordingly, Claims 63-68, 69-74, and 75-80 should remain in a single invention group and not be subject to restriction.

In Group V, Claims 81 and 82 relate respectively to an apparatus and process for automated remote cardiac patient care using cardiovascular patient information retrieved from a cardiac monitoring device adapted to be implanted. Claims 81 and 82 respectively recite a telemetry transceiver retrieving a set of cardiovascular measurements and periodically communicating the collected cardiovascular measurements set and, retrieving a set of cardiovascular measurements and periodically communicating the collected cardiovascular measurements set. Claims 81 and 82 further respectively recite a centralized server comprising a database storing the collected cardiovascular measurements set, a database module organizing a plurality of patient care records, an analysis module analyzing one or more of the collected cardiovascular measurements sets, and a feedback module sending feedback, and storing the collected cardiovascular measurements set, organizing a plurality of patient care records, analyzing one or more of the collected cardiovascular measurements sets, and sending feedback.

As combinations, each of these apparatus, process, and product claims are not are not subcombinations, are not separately usable, nor can be practiced with a materially different apparatus, process, product, or by hand. Accordingly, Claims 81 and 82 should remain in a single invention group and not be subject to restriction.

An Information Disclosure Statement is also being submitted by separate mailing. Acknowledgement of the Information Disclosure Statement and entry of the cited art references are respectfully requested.

Claims 1-82 are believed to be in a condition for allowance. Entry of the foregoing amendments is requested and a Notice of Allowance is earnestly solicited. Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

Respectfully submitted,

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